

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WELTHY SILVA, *et al.*,

Plaintiffs,

VS.

RENA HUGHES,

Defendant.

Case No.: 2:18-cv-00963-GMN-DJA

ORDER

Pending before the Court is the Report and Recommendation of now-retired United States Magistrate Judge Carl W. Hoffman, (ECF No. 6), which recommends that Plaintiff's Complaint, (ECF No. 7), be dismissed with leave to amend.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. Local R. IB 3-2. Upon the filing of such objections, the Court must make a de novo determination of those portions to which objections are made. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge’s report and recommendation where no objections have been filed. *See, e.g., United States v. Reyna–Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

Here, no objections were filed, and the deadline to do so has passed.

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1 Accordingly,

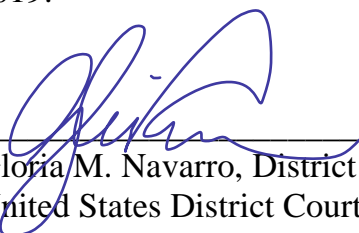
2 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 6), is
3 **ACCEPTED and ADOPTED** in full.

4 **IT IS FURTHER ORDERED** that Plaintiff's Complaint, (ECF No. 7), is **DISMISSED**
5 **with leave to amend**. Plaintiff shall have fourteen (14) days from the entry of this Order to file
6 an amended complaint.

7 **IT IS FURTHER ORDERED** that Plaintiff's failure to file an amended complaint
8 within fourteen (14) day from entry of this Order will result in dismissal of the case with
9 prejudice.

10 **IT IS FURTHER ORDERED** that in the event Plaintiff files an amended complaint,
11 the Clerk of Court is directed **NOT** to issue summons on the amended complaint. The Court
12 will issue a screening order on the amended complaint and address the issuance of summons at
13 that time, if applicable. *See* 28 U.S.C. § 1915(e)(2).

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15 **DATED** this 17 day of October, 2019.

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19 Gloria M. Navarro, District Judge
20 United States District Court
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